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DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Materials and Products Using Nanostructured Non-Stoichiometric Substances

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

X is attached hereto

_____ was filed on _____ as Application Serial No. _____ and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____, on _____ and was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States

<u> </u>	<u> </u>	<u> </u>
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

"Materials and Products Using Nanostructured Non-Stoichiometric Substances"

<u>60/111,442</u>	<u>12/1/98</u>	<u>pending</u>
Application Number	Filing Date	Status

<u> </u>	<u> </u>	<u> </u>
Application Number	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Takeshi Yadao
Inventor's signature: Takeshi Yadao Date: 8/23/99
Residence: 8724 Skyland, Longmont, CO Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Ming Au
Inventor's signature: Ming Au Date: 3/22/99
Residence: 1402 Stuart St * S. Longmont CO Citizenship: CHINA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Bijan Miremadi
Inventor's signature: Bijan Miremadi Date: March 23, 99
Residence: #B-207, 2727 Nelson Rd. Citizenship: CANADA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: John Freim
Inventor's signature: John Freim Date: March 22, 1999
Residence: 3577 CARSON CIR Longmont CO Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Ynyal Avniel
Inventor's signature: Ynyal Avniel Date: 05-22-99
Residence: 204 5th Ave, Longmont CO 80501 Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Roger Dirstine
Inventor's signature: Roger Dirstine Date: 3/22/99
Residence: 2858 Kyle Circle Citizenship: USA
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: John Alexander
Inventor's signature: John Alexander Date: 3/22/99
Residence: 1406 PINEWOOD COURT, LONGMONT Citizenship: USA UK J.A.
Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

Full name of first inventor: Evan Franke

Inventor's signature: *Evan Franke* Date: 3/22/99

Residence: 453 Verdant Cr Longmont CO 80501 Citizenship: USA

Post Office Address: 2620 Trade Center Ave, Longmont, CO 80503

ATTORNEY'S DOCKET NO.: 2000928-0028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *Yadav et al.*
Serial Number:
Filed:
For:

Assistant Commissioner for Patents
Washington, D.C. 20231

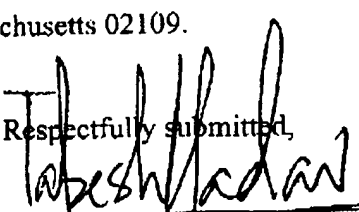
Sir:

APPOINTMENT OF ATTORNEY

The undersigned hereby appoints Brenda Herschbach Jarrell, Registration No. 39,223; Sam Pasternack, Registration No. 29,576; David J. Powsner, Registration No. 31,868; Paul A. Pysher, Registration No. 40,780; Kevin M. Tormey, Registration No. 41,351; Andrea M. Cezeaux, Registration No. 41,662; Elizabeth E. Nugent, Registration No. 43,839; and Karoline K.M. Shair, Registration No. 44,332, as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Elizabeth Nugent, Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,


Name: Tapesh Yadav

Title: President & CEO

On behalf of: Nanomaterials Research Corp.

Dated: Mar 23, 1999

ATTORNEY'S DOCKET NO.: 2000928-0028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yadav, *et al.*
Serial Number:
Filed: March 22, 1999
For: Materials and Products Using Nanostructured Non-Stoichiometric
Substances

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION
(37 CFR 3.73(b))

The assignee of the entire right, title and interest, Nanomaterials Research Corporation, hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

— documents already recorded in the PTO on _____.

Reel _____ Frame _____ ; and

— documents separately submitted for recordal to the PTO (a copy of these documents is attached).

STATEMENT

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.



Signature of Authorized Person

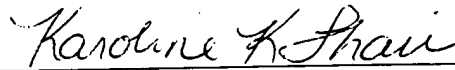
Tapesht Yadav

Name of Authorized Person

President/CEO

Title of Authorized Person

Respectfully submitted,



Karoline Shair

Reg. No. 44,332

Choate, Hall & Stewart
Exchange Place
53 State Street
Boston, MA 02109
(617) 248-5000

Date: March 22, 1999

ATTORNEY DOCKET NO.: 2000928-0028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yadav, *et al.*
Serial No.:
Filed: Herewith
For: Materials and Products Using Nanostructured Non-Stoichiometric Substances

Assistant Commissioner of Patents
Washington, DC 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) and 1.27(c)

SMALL BUSINESS CONCERN

I hereby declare that I am

- () the owner of the small business concern identified below:
(X) an official empowered to act on behalf of the small business concern identified

below:

NAME OF CONCERN: Nanomaterials Research Corporation
ADDRESS OF CONCERN: 2620 Trade Center Ave., Longmont, CO 80503

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For the purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract of law have been conveyed to and remain with the small business concern identified above with regard to the invention titled:

TITLE: Materials and Products Using Nanostructured Non-Stoichiometric Substances

by:
INVENTOR(S): Tapesh Yadav, Bijan Miremadi, Ming Au, John Freim, Yuval Avniel, Roger Dirstine, John Alexander, Evan Franke

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Nanostructured Fillers and Carriers

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

X is attached hereto

_____ was filed on _____ as Application
Serial No. _____ and amended on _____ (if applicable).

_____ was filed as PCT international application No. _____,
on _____ and was amended under PCT Article 19
on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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_____	_____	_____	Yes	No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed

Express Mail No. EI985601759US

below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (filing date) (status-patented, pending, abandoned)

(Application Serial No.) (filing date) (status-patented, pending, abandoned)

PCT Applications designating the United States:

(PCT Appl. No.) (U.S.S.N.) (status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

"Nanostructured Fillers for Novel Composites and Devices."

60/069,935 12/17/97 pending
Application Number Filing Date Status

"Nanostructured Materials for Battery Electrodes."

60/079,225 03/24/98 pending
Application Number Filing Date Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor: Tapesh Yadav

Inventor's signature:  Date: 5-19-98

Residence: 4101 Via del Cuculin, Tucson, AZ 85718

Express Mail No. EI985601759US

Citizenship: USA

Post Office Address: 2849 East Elvira Rd, Tucson, AZ 85706

Full name of first inventor: Clayton ~~Kostelecky~~ Kostelecky

Inventor's signature: *Clayton Kostelecky* Date: 5/21/98

Residence: 2424 9th Ave. #1101 Longmont, CO 80503

Citizenship: USA

Post Office Address: 2849 East Elvira Rd, Tucson, AZ 85706

Full name of first inventor: Evan Franke

Inventor's signature: *Evan Franke* Date: 5/21/98

Residence: 2424 9th Ave. #3101 Longmont CO 80503

Citizenship: USA

Post Office Address: 2849 East Elvira Rd, Tucson, AZ 85706

Full name of first inventor: Bijan Miremedi

Inventor's signature: *Bijan Miremedi* Date: 5/21/98

Residence: 1447 Kimbark St. Apt #8 Longmont CO 80501

Citizenship: Canada

Post Office Address: 2849 East Elvira Rd, Tucson, AZ 85706

Full name of first inventor: Ming Au

Inventor's signature: *Ming Au* Date: 5/20/98

Residence: 250 N. Arcadia Ave. #616 Tucson, AZ 85711

Citizenship: China

Post Office Address: 2849 East Elvira Rd, Tucson, AZ 85706

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